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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/018,959

04/26/2002

Yong-Seok Jeong

08015.0006

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02/04/2009

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EXAMINER

MUSSELMAN, TIMOTHY A

ART UNIT

PAPER NUMBER

3715

MAIL DATE

DELIVERY MODE

02/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/018,959	Applicant(s) JEONG, YONG-SEOK	
	Examiner TIMOTHY MUSSELMAN	Art Unit 3715	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7-9,15-17,23-34 and 36-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7-9,15-17,23-34 and 36-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

In response to applicant's submission dated 10/27/2008, claims 1, 7-9, 15-17, 23-34, and 36-40 are pending in this case. New claims 38-40 have been added.

Claim Rejections - 35 USC § 103

The following is a quotation of the relevant portion of 35 U.S.C. 103 that forms the basis for the rejections made in this section of the office action;

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Claims 1, 7, 9, 15, 17, 23, 25-34, and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galdes et al. (US 6,177,932) in combination with Sullivan et al. (US 6,999,990).

Regarding claims 1, 9, and 17, Galdes broadly discloses a network and methods for providing network based customer service (i.e. counseling). See col. 1: 54-67. Galdes further discloses receiving a query from a user containing information pertaining to counseling data retrieval. See col. 1: 55-60, wherein the menu interface is described, and col. 4: 54-64, wherein it is disclosed that the query contains counseling data retrieval information (i.e. a question and customer history data). Galdes further discloses the creation of a counseling room in which the user and counselor interact from their respective computers. See col. 8: 64 – col. 9: 3. Galdes further discloses in col. 8: 55-58 wherein the user is directed to a counselor based on the nature of the query. Note in this citation that the help request is directed to an appropriate counselor based on the counselor's level of knowledge *in the area of the help request*. Note this citation also discloses the selection of one of many counselors based on the contents of the help request. Note

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also that the *selection* of a counselor based on area of expertise implies a *plurality* of counselors to choose from. Galdes further discloses a counseling room. See col. 3: 24-29. Galdes does not teach wherein an ID code is generated by a series of mouse clicks, wherein the code contains information regarding the query contents. However, Sullivan discloses an online help system wherein the user navigates through a series of self help links regarding a particular topic, and wherein the user can escalate to live help, and such escalation provides the counselor with information regarding the user's self help efforts (i.e. a "code" regarding information pertaining to the "query contents", based on a previous series of clicks as the user navigates through the help system). See Col. 2: 40-50. It would have been obvious to one of ordinary skill in the art at the time of the invention to include such a concept in the system of Galdes as well, in order to improve the system in a manner as established by Sullivan, by allowing for more automation in the help seeking process.

Regarding claims 7, 15, and 23, Galdes further discloses wherein the counseling room is a real time chat room. See col. 3: 24-29.

Regarding claims 25-30, see the rejection of claims 1, 9, and 17 above.

Regarding claims 31, 34, and 37, all of the features are rejected as described with respect to claim 1 above, including the inclusion of web-tracks in the identity. Galdes further discloses wherein basic information includes general examples of counseling related to the webpage of the user. See col. 5: 54-60.

Regarding claims 32-33, see the rejection of claim 1 above, wherein it is described that the user does provide category information, which is also user-related information as per claim 33 (user related because the user selected the category that applies to them).

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Regarding claim 36, Galdes further discloses wherein the chatting can occur via text, video, or voice.

See col. 3: 24-39.

Regarding claims 38-40, it has been described above in the rejections of claims 1, 9, and 17 wherein the query contents identification occurs to select a proper counselor. Galdes discloses in col. 8: 45-50 wherein the help request contains information about the user's location (via an email address). Galdes further discloses in col 6: 23-35 wherein the help request contains information regarding a service providing server's URL. As to the language information, the help request will naturally include some language information, because it will be created on a system that uses a particular language, or created in a particular language.

Claims 8, 16, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galdes et al. (US 6,177,932) in combination with Sullivan et al. (US 6,999,990) and also Alberts (US 5,937,392).

Regarding claims 8, 16, and 24, Galdes discloses wherein said counseling room is a chat room, where said chat room corresponds with said query. See col. 3: 24-29 and col. 4: 54-64. Galdes does not teach wherein the user can conduct business utilizing the URL's of "electronic business malls" while in the chat room. However, Alberts discloses an internet advertising system explicitly for providing advertisements for internet systems. See col. 2: 30-40. It would have been obvious to one of ordinary skill in the art at the time of the invention to include this type of advertising scenario in the system of Galdes, because it would merely be using the system of Alberts for its intended purpose, and no unexpected results would ensue from providing advertisements in the system of Galdes as opposed to any other internet based system.

Response to Arguments

Applicants arguments dated 10/27/2008 have been fully considered, but are moot in view of the new grounds of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY MUSSELMAN whose telephone number is (571)272-1814. The examiner can normally be reached on Mon-Thu 6:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571)272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. M./
Examiner of Art Unit 3715

/XUAN M. THAI/
Supervisory Patent Examiner, Art Unit 3715

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